

LAREDO & SMITH, LLP

July 25, 2005

VIA ELECTRONIC FILING

Zita Lovett  
Courtroom Clerk for Judge Tauro  
United States District Court  
Suite 2300  
1 Courthouse Way  
Boston, MA 02210

Re: Kimberly C. Cutone and Anthony Cutone v. Eli Lilly and Company, et. al.  
C.A. No. 04-12725-JLT

Dear Ms. Lovett:

As we discussed in our telephone conversation on Friday, July 22, 2005, my client, Defendant Pharmacia & Upjohn Company LLC (named in the complaint as Pharmacia & Upjohn Company) has settled with the plaintiff. Therefore, this will confirm that there is no need for my client to do anything in response to the Court's Order dated July 22, 2005 and no one needs to appear at the scheduling conference on August 2, 2005 on behalf of Pharmacia & Upjohn Company LLC. We will file a Stipulation of Dismissal shortly. We are filing this letter electronically as we discussed.

Thank you for your attention to this matter.

Very truly yours,



Marc C. Laredo

MCL/ld